

The 23rd June, 1979

No. 11(112)-3Lab-79/5926.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the presiding Officer, Labour Court Rohtak in respect of the dispute between the workman and the management of M/s Haryana Agro-Industries Corporation Ltd., Chandigarh.

BEFORE SHRI B.R. GOEL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 60 of 1978

BETWEEN SHRI OM PARKASH, WORKMAN AND THE MANAGEMENT OF M/S HARYANA AGRO-INDUSTRIES CORPORATION LTD., CHANDIGARH

Present :

Shri Tek Chand for the workman.
Shri Rajinder Pal Aggarwal, for the management.

AWARD

By order No. ID/HSR/619-77/16804, dated 3rd May, 1978, the Governor of Haryana referred the following dispute between the management of M/s Haryana Agro-Industries Corporation Ltd., Chandigarh and its workman Shri Om Parkash to this Court for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of service of Shri Om Parkash was justified and in order ? If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties. The parties appeared and the workman filed his claim statement and the management instead of filing the written statement, Shri Rajinder Pal Aggarwal authorised representative made the following statement on 30th April, 1979.

"The respondent management has settled the claim of the workman and agreed to take him back on duty and treat him as a continuous employee of the management. The reinstatement letter will be issued by the management within a week from today and the period of termination of his service to the date of issuance of reinstatement letter will be treated as period on leave without pay but without any break in service. The workman will be entitled to the wages which he was drawing at the time of his termination w.e.f. he joined the duty, but if there is any delay on the part of management to issue appointment letter he will be treated to have resumed his duties w.e.f. 7th May, 1979 and will be treated to have been reinstated with effect from that date. The management agrees that no action will be taken against him for the back period happenings. If however the workman does not report for duty within 15 days from the date of the receipt of the reinstatement letter from the management, it will be presumed he is no longer interested in resuming his duties and in that event he will no longer be entitled to any claim. A copy of the appointment letter will be sent to the Secretary of the Union, Haryana Agro Farm Employees Union, Nagori Gate, Hissar."

Shri Tek Chand Gupta the authorised representative of the workman made the following statement on 30th April, 1979.

"I have heard the statement of Shri R.P. Aggarwal. The workman agrees that he may be reinstated without back wages but treating him as on leave without pay and without any break in service. The workman will resume his duty within 15 days from the date of issuance of letter but if he fails to resume or join the duty within 15 days it may be treated as he is no longer interested but if the management does not issue the reinstatement letter within 7 days, it will be presumed that the reinstatement letter has been issued. The reference may be filed."

In view of the above statement of the representative of the management and the workman, the demand of the workman has been met by the management in all respects. I answer the reference and give my award that the termination of services of the workman was not justified and not in order and he is entitled to reinstatement on the lines of the statement of Shri Aggarwal the authorised representative of the management as accepted by Shri Tek Chand Gupta. The period from the date of termination till the date of resumption of duties by the workman will be treated as period of leave without pay but without any break in service.

Dated 30th May, 1979.

BABU RAM GOYAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endorsement No. 1321, dated 6th June, 1979

Forwarded (four copies) to the Secretary to Government of Haryana Labour & Employment Department, Chandigarh as required under section 15 of the I.D.Act.

BABU RAM GOYAL,

Presiding Officer,
Labour Court, Haryana.
Rohtak.

The 25th June, 1979

No. 11(112)-3Lab-79/7080—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the presiding Officer, Labour Court Rohtak in respect of the dispute between the workman and the management of M/S Jindal Strips Ltd., Delhi Road, Hissar.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 369 of 1978

SHRI KRISHAN WORKMAN AND THE MANAGEMENT OF M/S JINDAL STRIPS
LTD., DELHI ROAD, HISSAR

Present :

Shri Tek Chand Gupta, for the workman.

Shri V. P. Gupta, for the management.

AWARD

By order No. ID/HSR/76-78/56294, dated 18th December, 1978 the Governor of Haryana referred the following dispute between the management of M/s. Jindal Strips Ltd., Hissar and its workman Shri Krishan to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Krishan was justified and in order? If not, to what relief is he entitled?

On receipt of reference, notices were issued to the parties. The parties appeared and filed Photostat copy of settlement dated 7th February, 1979 arrived at between the parties under section 18 of the Industrial Disputes Act, 1947. As per settlement the management agreed to pay Gratuity, Bonus, Earned Leave, Wages and other Wages outstanding, if any, to the workman and the workman agreed to withdraw his claim for reinstatement on 30th April, 1979. The parties appeared before me and Shri Tek Chand Gupta, authorised representative who is General Secretary of Mazdoor Ekta Union, Hissar, also made the following statement :—

“The workman has received his compensation for termination of his services and all other claims from the management. He is no longer interested in reinstatement by the management and therefore does not want to pursue this reference. The reference may be filed?”

In view of the settlement and the statement of the representative of the workman I answer the award that the termination of services of Shri Krishan was justified and in order and he is not entitled to any further relief.

Dated 31st May, 1979.

BABU RAM GOYAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endst. No. 1340, dated 8th June, 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

The 27th June, 1979

No. 11(112)-3Lab-79/7099.--In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Rohtak in respect of the dispute between the workman and the management of M/s Jindal Strips Ltd., Delhi Road, Hissar.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 322 of 1978

SHRI MOTI LAL WORKMAN AND THE MANAGEMENT OF M/S JINDAL STRIPS LTD.
DELHI ROAD, HISSAR

Present:

Shri Tek Chand Gupta, for the workman.

Shri V. P. Gupta, for the management.

AWARD

By order No. 1D/HSR/74-78/53574, dated 28th November, 1978, the Governor of Haryana referred the following dispute between the management of M/s Jindal Strips Ltd. Hissar and its workman Shri Moti Lal to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947: —

Whether the termination of services of Shri Moti Lal, was justified and in order? If not, to what relief is he entitled?

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed Photostat copy of settlement dated 9th February, 1979 arrived at between the parties under section 18 of the Industrial Disputes Act, 1947. As per settlement, the management agreed to pay Gratuity, Bonus, Earned leave, Wages and other wages outstanding, if any to the workman, and the workman agreed to withdraw his claim for reinstatement on 30 April, 1979. The parties appeared before me and Shri Tek Chand Gupta, authorised representative who is General Secretary of Mazdoor Ekta Union, Hissar, also made the following statement:—

“The workman has received his compensation for termination of his services and all other claim from the management. He is no longer interested in reinstatement by the management and therefore does not want to pursue this reference. The reference may be filed?”

In view of the settlement and the statement of the representative of the workman I answer the award that the termination of services of Shri Moti Lal was justified and in order and he is not entitled to any further relief.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

Dated 31st May, 1979.

Endorsement No. 1369, dated 8th June, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana, Rohtak,

G. V. GUPTA,
Commissioner and Secy.